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Dated: February 23, 2005

Signature:

William K. Merkel
(William K. Merkel)

Docket No.: 27373/36638A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ralph Weichselbaum et al.

Application No.: 09/964,042

Art Unit: 1635

Filed: September 26, 2001

Examiner: J. E. Angell

For: TREATMENT OF TUMORS WITH
GENETICALLY ENGINEERED HERPES
VIRUS

RESPONSE TO OFFICE COMMUNICATION OF FEBRUARY 17, 2005

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to the Office communication dated February 17, 2005. This response is timely filed prior to the one-month deadline of March 17, 2005.

Amendments to the Specification: None.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.